

THE HONORABLE THOMAS S. ZILLY

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

SHANNON SPENCER, individually and
on behalf of all others similarly situated,

Plaintiff,

v.

RXO, INC., a foreign profit corporation;
RXO LAST MILE, INC., a foreign profit
corporation; RXO CORPORATE
SOLUTIONS, LLC, a foreign limited
liability company; RXO FREIGHT
FORWARDING, INC., a foreign profit
corporation; RXO MANAGED
TRANSPORT, LLC, a foreign limited
liability company; and DOES 1-20,

Defendants

NO. 2:23-CV-01760-TSZ

**STIPULATED MOTION FOR
EXTENSION OF TIME AND
REQUEST TO STAY AND
[PROPOSED] ORDER**

NOTE ON MOTION CALENDAR:
January 29, 2024

Plaintiff Shannon Spencer (“Plaintiff”) and Defendants RXO, Inc., RXO Last Mile, Inc.,
RXO Corporate Solutions, LLC, RXO Freight Forwarding, Inc., and RXO Managed Transport,

STIPULATED MOTION FOR EXTENSION OF
TIME AND REQUEST TO STAY AND
[PROPOSED] ORDER –1
(No. 2:23-CV-01760-TSZ)

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1 LLC (the “RXO Defendants”) (collectively, the “Parties”), by and through their respective
2 undersigned counsel, respectfully submit this Stipulated Motion for Extension of Time and
3 Request to Stay.

4 Pursuant to the Court’s Order on December 12, 2023 (Dkt. 10), the Parties held a meet
5 and confer on January 10, 2024 and have agreed to extend the pending briefing schedule and
6 deadlines in order to explore alternative resolution and potential settlement. As such, the Parties
7 jointly request that the Court extend the current briefing schedule deadlines by 60 days as
8 follows:

9 1. To re-note Defendant’s Motion to Dismiss from February 23, 2024 to April 23,
10 2024.

11 2. For Plaintiff’s deadline to respond to Defendant’s Motion to Dismiss from
12 February 8, 2024 to April 8, 2024.

13 3. For Defendant’s deadline to reply to Defendant’s Motion to Dismiss from
14 February 23, 2024 to April 23, 2024.

15 As a result of extending the briefing schedule, the Parties would also like to request a
16 stay of all early case deadlines, including the FRCP 26(f) Conference, Initial Disclosures and
17 the submission of a Joint Status Report.

18 The parties agree to submit a Joint Status Report within 60 days of entry of an Order
19 granting the requested stay apprising the Court of the status of any resolution.

20 WHEREFORE, the Parties respectfully request that the Court grant this Stipulated
21 Motion for Extension of Time and Request to Stay.

22
23 Respectfully submitted this 29th day of January , 2024.

24 By: /s/ Timothy W. Emery
25 Timothy W. Emery, WSBA #34078
26 EMERY REDDY, PLLC
600 Stewart St., Suite 1100

STIPULATED MOTION FOR EXTENSION OF
TIME AND REQUEST TO STAY AND
[PROPOSED] ORDER –2
(No. 2:23-CV-01760-TSZ)

By: /s/ Todd L. Nunn
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Attorney for Defendants

ORDER

Upon consideration of the Parties' Stipulated Motion for Extension of Time and Request to Stay, the Court finds that good cause exists to extend filing deadlines and stay all early case deadlines, and it is hereby **ORDERED** that this Motion is **GRANTED**.

It is **FURTHER ORDERED** that the filing deadlines will be modified as follows:

| Event | Current Date | New Date |
|--|-------------------|----------------|
| Re-note Defendant's Motion to Dismiss | February 23, 2024 | April 23, 2024 |
| Plaintiff's Response to Motion to Dismiss | February 8, 2024 | April 8, 2024 |
| Defendant's Reply to Response to Motion to Dismiss | February 23, 2024 | April 23, 2024 |

Parties shall file a Joint Status Report within 60 days of entry of this Order apprising the court of any resolution.

DATED this __ day of _____, 2024

STIPULATED MOTION FOR EXTENSION OF
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[PROPOSED] ORDER –3
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HONORABLE THOMAS S. ZILLY

STIPULATED MOTION FOR EXTENSION OF
TIME AND REQUEST TO STAY AND
[PROPOSED] ORDER –4
(No. 2:23-CV-01760-TSZ)

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